

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: IN RE REFCO SECURITIES LITIGATION :
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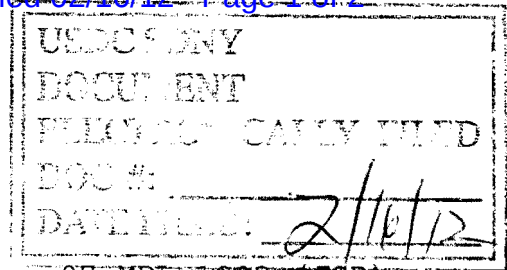
KENNETH M. KRYS, et al., :
: :
Plaintiffs, : 08 Civ. 3065 (JSR)
: 08 Civ. 3086 (JSR)
-v- :
: ORDER
CHRISTOPHER SUGRUE, et al., :
: :
Defendants. :
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JED S. RAKOFF, U.S.D.J.

On November 27, 2011, Special Master Daniel J. Capra issued a Report and Recommendation in the above-captioned case recommending that the THL Defendants'¹ motion to dismiss plaintiffs' claims be granted in its entirety. After the parties timely submitted their objections and responded thereto, the Court heard oral argument on January 24, 2012 and considered the entire matter de novo. Having done so, the Court finds itself in agreement with Special Master Capra's Report and Recommendation in all material respects and hereby adopts it in full as if incorporated herein.

SO ORDERED.

¹ The THL Defendants are: Thomas H. Lee Partners, L.P.; THL Managers V LLC; Thomas H. Lee Advisors LLC; Thomas H. Lee Equity Fund V, L.P.; Thomas H. Lee Parallel Fund V, L.P.; Thomas H. Lee Equity (Cayman) Fund V, L.P.; THL Equity Advisors V, LLC; Thomas H. Lee Investors Limited Partnership; The 1997 Thomas H. Lee Nominee Trust; Thomas H. Lee; David V. Harkins; Scott L. Jaeckel; and Scott A. Schoen.





JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
February 14, 2012